

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

MANUEL GARNICA,  
Plaintiff,

Case No. CV-08-612-JF

V.  
CREATIVE HORTICULTURE,  
Defendants.

ORDER TO SHOW CAUSE RE:  
DISMISSAL

The above named matter came regularly for a case management conference hearing before the Honorable Jeremy Fogel in Courtroom 3, on October 10, 2008 at 10:30 a.m. No appearance was made by Plaintiff. The Court hereby issues this ORDER TO SHOW CAUSE, to be heard on November 14, 2008 at 10:30 a.m., as to why this action should not be dismissed for failure to prosecute. If Plaintiff does not file a response to the ORDER TO SHOW CAUSE by October 31, 2008, demonstrating why the case should not be dismissed, the Court will dismiss the action without prejudice, pursuant to Federal Rule of Civil Procedure 41(b), for failure to prosecute.

Date: October 16, 2008

  
JEREMY FOGEL  
United States District Judge